BOOK 0703 PAGE 0187
1300613-002

AFFIDAVIT OF NONDEVELOPMENT AND NONPAYMENT OF DELAY RENTALS

I, Alma Louise Manning Spencer, of 2831 Wormranch Road, Haws River, NC 27258 , being of lawful age and duly sworn, do hereby depose and state the following:

Affiant hereby states that ~~(he~~/she) is the owner of an undivided interest in the oil and gas rights under certain lands situate in the District of Cameron , Marshall County, West Virginia, being further described as follows:

Tax Parcel No. map 16 parcel 1

Bounded formerly or currently as follows:

On the North by lands of: John J. Woodstuff; Ronald Greathouse; Ralph Lemmons;
On the East by lands of: Robert C. Fletcher;
On the South by lands of: John David McConaughey
On the West by lands of: William L. Fox

And more specifically described in a deed dated October 30, 1954 , from Encil R. Wade and Dorothy Irene Wade, his wife; Enzie B. Wade and Cecile Wade, his wife; Erma(Wade) Caldwell,single; Ira Stephens and Jennie Stephens, his wife; Florence Cole and Leonard Cole, her husband; Theresa (Mozingo) Reese and Fred Reese, her husband; Orpha Lugwig and Archie Lugwig, her husband; Elwood Bowman; Sarah (Bowman) Grimes and Allen L. Grimes, her husband; Harold Bowman,single; Florence Erma Bowman, single; being the owners of the undivided one-half (1/2) interest owned in said tract of land at the time of the death of W.A. Wade; and Massie Ellen Wade, the owner of the remaining undivided one-half (1/2) interest, widow of W.A. Wade, deceased, to Ellis Blake and Ethel Blake, his wife, and recorded in Deed Book 307, at Page 222, of the deed records of said county and state.

Affiant further states that during the time of his/her ownership of the aforementioned rights in the above described lands, there **(has/~~has not~~)** been various oil and gas leases executed for the purpose of exploring for oil and gas. Affiant is also aware that there may have been other oil and gas leases executed by predecessors in title to the above described lands. Affiant further states that for a period of at least 5+ years there has been no delay rental payments paid to Affiant, in money or otherwise, nor have such payments been deposited to Affiant's credit in any named bank. Affiant further states that **(~~he~~/she)** will not accept any delay rental or other payments after the date of execution of this Affidavit that would perpetuate any of said prior leases.

Furthermore, Affiant states that to the best of **(~~his~~/her)** knowledge there is no production of oil and/or gas from the above described lands and that **(~~he~~/she)** is not aware of any drilling, exploration, or development activities of any nature or kind conducted on said lands. Affiant also states that no production royalties and/or shut-in royalties have been paid effectively perpetuating any prior leases.

Further Affiant sayeth naught.

Jan Pest
MARSHALL County 09:31:36 AM
Instrument No 1288063
Date Recorded 06/24/2010
Document Type O&G
Pages Recorded 1
Book-Page 703-187
Recording Fee $5.00
Additional $6.00

AFFIANT:

Alma Louise Manning Spencer
Alma Louise Manning Spencer

Subscribed and sworn to before me on this 3rd day of April, 2010

My Commission Expires: 11-27-2010

Christie D Brown
Signature/Notary Public
Name/Notary Public (print): _____

ACKNOWLEDGMENT

STATE OF NC)

COUNTY OF Alamance)

On this the 3rd day of Apr. 1, 2010, before me, the undersigned authority, personally appeared Alma Louise Manning Spencer, a widow , who, being duly sworn according to law, deposes and says that he executed the foregoing instrument for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission Expires: 11-27-2010

Christie D Brown
Signature/Notary Public
Name/Notary Public (print): Christie D. Brown

This instrument prepared by: Chesapeake Appalachia, L.L.C., 6100 N. Western Avenue, Oklahoma City, OK 73118

STATE OF WEST VIRGINIA, MARSHALL COUNTY, SCT.:

I, JAN PEST, Clerk of the County Commission of said County, do hereby certify that the annexed writing, bearing date on the 3rd. day of April 2010, was presented for and by me, admitted to record in my office upon the above certificate as to the parties therein named this 24th day of June 2010 at 9:31 o'clock A M.

TESTE: Jan Pest Clerk.

CPS SM 5-10